

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
LITTLE ROCK DIVISION**

BEAU LEE DUBOIS
ADC #153331

PLAINTIFF

V.

NO: 4:13CV00465 SWW

DAVID ROBERT WARE *et al.*

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge H. David Young, and the objections filed. After carefully considering the objections and making a *de novo* review of the record in this case, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED THAT:

1. The motion for summary judgment filed by Defendants Vesta Mullins, Alushia Robinson, and David Robert Ware (docket entry #65) is GRANTED, and Plaintiff's complaint is DISMISSED.
2. Plaintiff's complaint is DISMISSED WITH PREJUDICE with respect to his claims against Robinson.
3. Plaintiff's complaint is DISMISSED WITHOUT PREJUDICE in all other respects.
4. The Court certifies that an *in forma pauperis* appeal taken from the order and judgment dismissing this action is considered frivolous and not in good faith.

DATED this 17th day of June, 2014.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE